

## Strangers in our Midst: Some Educational Conditions for Transforming Political Community

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Joseph Carens's award winning book, *Culture, Citizenship and Community*, responds to the question "What is required of a political community in order to treat people fairly?"<sup>1</sup> Where a political community is founded upon liberal democratic principles, Carens argues, both conceptions of fairness should guide just policy and practices. The first ("hands-off") conception regards people abstractly and requires the liberal state to be neutral between competing conceptions of the good; the second ("even-handedness") calls for "contextually sensitive judgments more than general principles," and for institutions "to take an even-handed...approach in responding to claims...from different conceptions of the good."<sup>2</sup>

The 2006 Kneller lecture pursues several of the book's concerns, with particular attention to immigrants. For Carens, a political community's just treatment of immigrants requires adaptation on both sides. He asks: "In what ways can we reasonably ask immigrants to adapt to us and in what ways can we reasonably ask that we adapt to them?" In the background, I think, lie broader questions about political community. To ask what "we" can ask of immigrants (and "they" of "us") is already to raise questions about "our" identity, and about constitutive features and normative commitments of "our" society. For Carens, following a usage that commonly shapes public discourse about immigrants in North America, "we" designates members of liberal democratic societies in the developed world and "they" designates "others" from the developing world.

I am interested in a different feature of diction in his question, its invitational form — what can we (or they) *ask*, rather than what can we demand or require, and what can we (or they) *reasonably* ask. How much weight is carried in the asking? Are the conditions of reasonableness equivalent in both directions — for what "we" may ask of "them" and "they" of "us"? When does reasonableness call for "Hands-off!"; how should this be balanced with even-handedness; and how are different kinds of normative claims related? I take up some of these questions briefly and also pursue the idea that fear impedes fairness. *En route*, I comment on education's role in establishing just conditions for democratic citizenship.

### REASONABLE NORMATIVE CLAIMS

For Carens, what a receiving country may reasonably ask of immigrants, or they of it, may involve any of four kinds of normative claim — *requirements*, *expectations*, *encouragements*, and *aspirations*. Each is reasonable under different circumstances; each carries a different weight and has a different directional demand. What "we" may reasonably ask of "them" is not isomorphic with what "they" may ask of "us."

*Normative requirements* carry the greatest weight; they are entrenched in laws, policies, and regulations. For Carens, liberal democratic commitments call for a

reasonable even-handedness that takes account of those cultural practices that do not fit “our” ways, but might nonetheless be accommodated in what the relevant institutions permit. Still, the primary agency appears to sit all on one side — “we” decide how “they” should adapt to “us” and “we” decide how “we” should adapt to “them.” Of course, who actually decides or participates in decision-making are empirical matters. *The normative point here is crucially connected to the relationship among different kinds of normative claim and to a proper grasp of education’s role in enabling a more embracing political community where fear does not impede fairness.* The point concerns democratic agency and social justice; to unearth it, I need to dig around Carens’s argument.

Carens’s normative claim is that liberal democratic states have a duty to accommodate culturally significant practices on condition that this does not seriously threaten liberal democratic principles. One of its empirical entailments is that the state (or its institutions and agents), decides whether, when, and how to accommodate migrants’ cultural practices. Let us make the reasonable assumption that the state can accommodate only those practices it knows about, and that it comes by this knowledge in one or more of four possible ways — (i) common knowledge, (ii) observation, (iii) authority, or (iv) directly from source (immigrants themselves). A fifth source straddles the third and fourth, namely, well-informed advocates whom immigrants choose to speak on their behalf.

The first two sources are unreliable; the third may also be suspect. So-called common knowledge of others’ cultural practices is vulnerable to over-simplification and more serious misinterpretations; likewise observation. Where misinterpretation rests in and nurtures a politics of fear, it inhibits fairness, as Carens shows in his discussion of responses to female genital mutilation that play into public discourse of “them” as barbaric. Where fear of “the other” pervades public discourse, even so-called authorities may guide policy-making from a distorted understanding of minority cultural practices. Ideally, immigrants themselves should participate in decision-making that affects them. Their participation is a reasonable requirement on the democratic principle that people affected by a decision be involved in the processes leading to the decision, but also because participation is crucial for membership and democratic agency. While the obligation to be even-handed rests on the state and its agents, a workable even-handed solution to a contested area of policy or practice requires principled consent and appropriate understanding of all concerned. Although I have used the word “requires” here, perhaps the normative force of this claim lies one level down, as an *expectation*.

*Normative expectations* are demands in the form of informal moral standards that may be enforced through informal social sanctions and public criticism. The proper scope of normative expectations is demarcated by liberal democratic principles — expressed as “Hands off!” Within a liberal framework that takes individual liberty seriously, it is illegitimate to make normative demands on how people live. Let us call this *the limitation argument* because it indicates what we *cannot* reasonably demand of one another. One way of tackling the question of what we *can* reasonably expect of others is to sketch *enabling conditions* for political agency and

the benefits of political membership. Even-handedness is a basic enabling condition; it calls for respectful attention to the views of both sides. Strangers in our midst reasonably expect that they be afforded equal respect and proper consideration in decisions affecting them, but “we” can also reasonably expect even-handed solutions to take account of “our” established practices in reaching a principled accommodation of “strange” practices.

While even-handedness enables immigrants to achieve political agency, it is not enough to overcome the considerable impediments to full membership. Immigrants without social capital remain strangers in our midst, excluded from the goods that may have attracted them in the first place. In a single sentence Carens suggests just how much weight the receiving society carries in providing for immigrants: “If they lack the social capital, it is society that has failed to provide it.” A full argument for the burden of public education in providing immigrants social capital is beyond my scope here. The right sort of argument, I think, parallels Randall Curren’s argument from the foundations of corrective justice.<sup>3</sup> Corrective justice presupposes a just distribution of goods indispensable for full membership in a society bound by law. Uninterrupted enjoyment of rights and goods of full membership depend, *de jure*, on compliance with law, and a consequence of non-compliance is the removal of some rights through imprisonment or other forms of punishment. Whether people comply with law is substantially influenced by preparation for compliance; hence the distribution of such preparation, namely education, is necessary for distributive justice.

Corrective justice places two educational duties on the state: to establish conditions for informed and rational consent to law, and to initiate citizens into the habits of heart and mind necessary for complying with law. The first appeals to fidelity to reason; the second acknowledges that, in addition to reason, appropriate habits, dispositions, and tastes are necessary. I am less interested in compliance than in the enabling conditions for political agency for migrants, especially such marginal groups (and their children) as guest workers, undocumented immigrants, and adult refugees from war-ravaged states with severely dysfunctional or non-existent schooling — groups commonly seen as threats to the moral order of the societies in which they live but may have no more than a precarious membership status, if that. Their structural position, as well as their cultural or physical strangeness, makes them vulnerable to oppression, one of the two main impediments to political agency.<sup>4</sup> Marginalization and powerlessness, the “faces” of oppression most pertinent to strangers in our midst, restrict people’s access to resources and opportunities for developing and exercising their capacities. Political inclusion is thus a touchstone for social justice.

Iris Young argues that genuine inclusion has to overcome *external* and *internal exclusion*.<sup>5</sup> Internal exclusion occurs when previously excluded groups enter a public deliberative domain but remain on the margins, ignored by dominant terms of discourse and privileged styles of action. Real inclusion requires a heterogeneous public, open to “a plurality of modes of communication,” where attention to social differences aims to achieve “the wisest and most just political judgments for

action.”<sup>6</sup> Education of the right sort, then, has a role in enabling marginalized people to achieve access to public decision-making domains, and in developing in *all* citizens the dispositions that are necessary for democratic inclusion and fairness.

This brings me to *encouragements* and *aspirations*. Once legitimate policy requirements are set and normative expectations made explicit, education probably works best through encouragements and the shaping of aspirations. Part of this work is to counteract a culture of fear.

#### FEAR, FAIRNESS, AND EDUCATION

Fear may be either situational or dispositional.<sup>7</sup> Dispositional emotions shape both our encounters with the world and the “stream” of those encounters. Where dispositional fear is a background emotion, it is so woven into the fabric of everyday practice that we do not recognize it except where it surfaces in situations we experience as fearful. Carens considers the fear “we” have of migrants and of strange ways contaminating the social order. But migrants, too, may be driven by fear — of losing cherished practices, of not being able “to make it” in their new country, of unjust treatment, and for undocumented immigrants, of deportation and dire further consequences. Such fear barricades the self against the other, because it is self-protective — we want the objects of our fear to be annihilated, removed, tethered, or corralled. Fear impedes fairness because it blinds us to the occasions that call for fairness and to what counts as fair. The standard picture may have it that fairness is a matter of setting emotion aside, of dispassionate judgment. But Martha Nussbaum’s work on the emotions suggests that a social order might legitimately cultivate and appeal to compassion rather than simply creating a system of just rules and a set of supporting institutions.<sup>8</sup> There is a case to be made, albeit a difficult case that I cannot make here, for putting the cultivation of compassion at the centre of an education that helps to overcome a pervasive culture of fear, and so open the way for fairness, thereby enabling genuine political agency for migrants and long-standing citizens alike. While we cannot require or expect people to be unafraid, we can encourage mutual regard, deeper understanding, and such self-transcending emotions as compassion.

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1. Joseph H. Carens, *Culture, Citizenship, and Community: A Contextual Exploration of Justice as Evenhandedness* (New York: Oxford University Press, 2000).

2. *Ibid.*, 8.

3. See Randall R. Curren, *Aristotle on the Necessity of Public Education* (Lanham: Rowman & Littlefield, 2000).

4. See Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), and *Inclusion and Democracy* (Oxford: Oxford University Press, 2000).

5. *Ibid.*

6. *Ibid.*, 12.

7. For more on this distinction, see Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (Cambridge: Cambridge University Press, 2001).

8. *Ibid.*